

Senate File 449 - Introduced

SENATE FILE 449
BY COMMITTEE ON WORKFORCE

(SUCCESSOR TO SSB 1154)

A BILL FOR

1 An Act relating to the driving privileges of persons issued
2 an instruction permit who are employed, and providing
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180B, subsection 1, paragraph c,
2 Code 2023, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (3) (a) If the permittee is employed
4 and holds a current and valid work permit issued pursuant
5 to chapter 92, the permittee may operate a motor vehicle to
6 and from work without an accompanying driver no earlier than
7 forty-five minutes prior to the start of the permittee's work
8 shift and no later than forty-five minutes after the end of
9 the permittee's work shift, during the hours authorized under
10 section 92.7, provided the driving distance between the point
11 of origin and the destination is no more than twenty-five
12 miles, the location of the establishment is a fixed location
13 and is the only location at which the permittee is authorized
14 to work for the employer, the permittee carries the work permit
15 during travel, and the travel is for purposes of getting to or
16 from the location for employment.

17 (b) For purposes of this subparagraph, a work permit issued
18 to a permittee under chapter 92 shall still be considered
19 current and valid even if the permittee, after reaching an
20 additional year of age, is no longer subject to the work permit
21 restrictions under chapter 92, provided the permittee carries
22 an affidavit signed by the permittee's employer, parent, or
23 guardian stating the permittee is currently employed by the
24 same employer listed on the work permit.

25 (c) If traveling without an accompanying driver, the
26 permittee shall not transport any passengers.

27 (d) To operate under this subparagraph, the permittee shall
28 submit a copy of the permittee's current and valid work permit
29 issued to the permittee under chapter 92 to the department.

30 Sec. 2. Section 321.180B, subsection 7, Code 2023, is
31 amended to read as follows:

32 7. *Citations for violation of restrictions.* A person who
33 violates the restrictions imposed under subsection 1, 2, or
34 6 may be issued a citation under [this section](#) and shall not
35 be issued a citation under [section 321.193](#). A Except for

1 violations of subsection 1, paragraph "c", subparagraph (3), a
 2 violation of the restrictions imposed under subsection 1, 2,
 3 or 6 shall not be considered a moving violation. A violation
 4 of subsection 1, paragraph "c", subparagraph (3), shall be
 5 considered a moving violation.

6 Sec. 3. Section 805.8A, subsection 4, paragraph e, Code
 7 2023, is amended to read as follows:

8 e. (1) Section 321.180B, other than section
 9 321.180B, subsection 1, paragraph "c",
 10 subparagraph (3)..... \$ 70.
 11 (2) Section 321.180B, subsection 1, paragraph "c",
 12 subparagraph (3)..... \$ 200.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
 15 the explanation's substance by the members of the general assembly.

16 Under current law, persons age 14 to 18 may operate motor
 17 vehicles on highways under a variety of driver's licenses or
 18 permits (Code section 321.178 — restricted license, Code
 19 section 321.180B — graduated licenses, Code section 321.194
 20 — special minor's license, and 321.189 — motorized bicycle
 21 license). Graduated licenses under Code section 321.180B
 22 include a three-step process from instruction permit to
 23 intermediate license to full driver's license. Instruction
 24 permit holders (age 14 to 18) must be accompanied by a certain
 25 type of licensed driver, such as a parent, at all times. For
 26 an intermediate license holder (age 16 or 17), an accompanying
 27 driver is not required between the hours of 5:00 a.m. and 12:30
 28 a.m., or between the hours of 12:30 a.m. and 5:00 a.m. to and
 29 from school-related extracurricular activities and work if the
 30 licensee possesses a waiver.

31 This bill authorizes a person issued an instruction permit
 32 to drive to and from work without an accompanying driver no
 33 earlier than 45 minutes prior to the start of, and no later
 34 than 45 minutes after the end of, the person's work shift if
 35 the person is employed and holds a valid work permit issued

1 pursuant to Code chapter 92 (child labor). The driving
2 distance between the point of origin and the destination cannot
3 exceed 25 miles, the location of the work establishment must be
4 a fixed location and the only location at which the permittee
5 is authorized to work for the employer, the permittee must
6 carry the work permit during travel, and the travel is required
7 to be for purposes of getting to or from the location for
8 employment.

9 A work permit is still considered current and valid for
10 purposes of an instruction permit even after the permittee
11 reaches an additional year of age and is therefore no longer
12 subject to the work permit restrictions under Code chapter
13 92, provided the permittee carries an affidavit signed by the
14 permittee's employer, parent, or guardian stating the permittee
15 is currently employed by the same employer listed on the work
16 permit.

17 A permittee is not authorized to transport passengers
18 without an accompanying driver.

19 To be authorized to drive to work, the permittee is required
20 to submit a copy of the work permit to the department of
21 transportation.

22 In accordance with current law, a permittee is prohibited
23 from using electronic communication or entertainment devices
24 while driving.

25 A violation of the bill is punishable by a scheduled fine of
26 \$200 and can result in suspension of the instruction permit. A
27 violation of the bill is also considered a moving violation,
28 and as such, may be considered for purposes of administrative
29 suspension of a driver's license or to establish habitual
30 offender status.

31 Other violations of Code section 321.180B are not considered
32 moving violations and are punishable by a scheduled fine of
33 \$70.